

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Leticia Rodriguez

Case No.: 21-19480

Judge: Kaplan

Debtor(s)

Chapter 13 Plan and Motions

☒ Original

☐ Modified/Notice Required

Date: 1/3/22

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JTM

Initial Debtor: LR

Initial Co-Debtor:

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 1371.00 per month to the Chapter 13 Trustee, starting on 1/1/2022 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 2500.00
DOMESTIC SUPPORT OBLIGATION	none	

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

PNC Bank Mortgage

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan
Toyota Motor Credit (Judgment here)	other	\$13,869.00

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☒ Not less than 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal, and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

1) Ch. 13 Standing Trustee commissions

2) Attorney Fees

3) Unsecured creditors

4) _____

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 1/3/22

/s/ Leticia Rodriguez
Debtor

Date: _____

Joint Debtor

Date: 1/3/22

/s/J Todd Murphy
Attorney for Debtor(s)

In re:
Leticia Rodriguez
Debtor

Case No. 21-19480-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jan 04, 2022

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 48

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 06, 2022:

Recip ID	Recipient Name and Address
db	+ Leticia Rodriguez, 42 Carmen st., Somerset, NJ 08873-2407
519457576	+ Aes/Nct, Po Box 61047, Harrisburg, PA 17106-1047
519457578	Best Egg, 3419 Silverside Rd, Wilmington, DE 19810
519457579	+ Cap1/L&T, Po Box 31293, Salt Lake City, UT 84131-0293
519477436	+ Chase Master Card Rewards, PO Box 15548, Wilmington, DE 19886-5548
519457585	+ Court Officer Eric DeGuilo, PO Box 7000, Gren Brook, NJ 08812-7000
519457588	+ Goodyr/Cbna, P.O. Box 5003, Sioux Falls, SD 57117-5003
519457590	+ Jhpde Finance I, Llc, 5757 Phantom Dr Ste 250, Hazelwood, MO 63042-2432
519457593	+ Nissan, P.O. BOX 740849, Cincinnati, OH 45274-0849
519457599	State of New Jersey/Division of Taxation, Administration/Bldg. 6, 595 Newark Ave., Jersey City, 07306-2394
519477439	+ Tenaglia & Hunt, 395 West Passaic Street, Suite 205, Rochelle Park, NJ 07662-3016
519457610	+ Wells Fargo Bank, Po Box 14517, Des Moines, IA 50306-3517
519472776	Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
519461771	+ Wells Fargo Bank, N.A., 435 Ford Road, Suite 300, St. Louis Park, MN 55426-4938
519457611	+ Wf Crd Svc, Po Box 14517, Des Moines, IA 50306-3517
519457612	+ Wf Pll, Po Box 94435, Albuquerque, NM 87199-4435

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Jan 04 2022 20:43:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Jan 04 2022 20:43:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
519457575	Email/Text: Bankruptcy@absoluteresolutions.com	Jan 04 2022 20:43:00	Absolute Resolutions I, 8000 Norman Center Dr St, Bloomington, MN 55437
519470073	Email/Text: Bankruptcy@absoluteresolutions.com	Jan 04 2022 20:43:00	Absolute Resolutions Investments, LLC, c/o Absolute Resolutions Corporation, 8000 Norman Center Drive, Suite 350, Bloomington, MN 55437
519457577	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:52:55	Best Buy/Cbna, 50 Northwest Point Road, Elk Grove Village, IL 60007-1032
519457580	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 04 2022 20:42:28	Capital One, N.A., Po Box 30273, Salt Lake City, UT 84130-0273
519457581	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:53:01	Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
519457582	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:52:51	Citi, Po Box 6241, Sioux Falls, SD 57117-6241
519457583	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:52:55	Citi, Po Box 6217, Sioux Falls, SD 57117-6217
519477437	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:52:51	Citi Diamond Preferred Card, PO Box 9001037, Louisville, KY 40290-1037
519457584	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 04 2022 20:43:00	Comenitybank/Ny&Co, Po Box 182789,

District/off: 0312-3

User: admin

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Date Rcvd: Jan 04, 2022

Form ID: pdf901

Total Noticed: 48

			Columbus, OH 43218-2789
519477438	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:52:55	Macys/Dsnb, Po Box 8218, Mason, OH 45040
519461591	Email/Text: mrdiscen@discover.com	Jan 04 2022 20:43:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
519457586	+ Email/Text: mrdiscen@discover.com	Jan 04 2022 20:43:00	Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
519457589	Email/Text: sbse.cio.bnc.mail@irs.gov	Jan 04 2022 20:43:00	IRS, 955 S. Springfield Avenue, Bldg. A, Springfield, NJ 07081
519477435	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 04 2022 20:42:18	Chase Freedom Card, PO Box 15548, Wilmington, DE 19886
519457591	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 04 2022 20:42:35	Jpmcb Card, Po Box 15369, Wilmington, DE 19850
519457592	Email/Text: PBNCNotifications@perituservices.com	Jan 04 2022 20:43:00	Kohls/Capone, N56 Ridgewood Dr, Menomonee Fal, WI 53051
519457594	Email/Text: Bankruptcy.Notices@pnc.com	Jan 04 2022 20:43:00	Pnc Bank, Po Box 8703, Dayton, OH 45401
519457595	+ Email/Text: bankruptcy@rubinrothman.com	Jan 04 2022 20:43:00	Rubin & Rothman LLC, 1787 Veterans Highway, Attn Krista Miller Esq., Islandia, NY 11749-1500
519457596	+ Email/Text: bankruptcy@savit.com	Jan 04 2022 20:43:00	Sa Vit Collection Agen, 46c W Ferris St, East Brunswick, NJ 08816-2159
519457598	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:52:51	Sears/Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
519457597	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 04 2022 20:52:51	Sears/Cbna, 13200 Smith Rd, Cleveland, OH 44130-7802
519457600	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2022 20:42:34	Syncb/Amazon, Po Box 965015, Orlando, FL 32896-5015
519457601	Email/PDF: gecsed@recoverycorp.com	Jan 04 2022 20:42:21	Syncb/Care, C/O P.O. Box 965036, Orlando, FL 32896-5036
519457602	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2022 20:42:28	Syncb/Carecr, C/O Po Box 965036, Orlando, FL 32896-0001
519457603	Email/PDF: gecsed@recoverycorp.com	Jan 04 2022 20:52:50	Syncb/Oldnav, P.O. Box 29116, Shawnee Missio, KS 66201
519457604	Email/PDF: gecsed@recoverycorp.com	Jan 04 2022 20:52:55	Syncb/Peri, C/O P.O. Box 965036, Orlando, FL 32896-5036
519457606	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2022 20:52:51	Syncb/Tjx, Po Box 965015, Orlando, FL 32896-5015
519457605	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2022 20:42:28	Syncb/Tjx, 4125 Windward Plaza, Alpharetta, GA 30005-8738
519457609	Email/Text: TFS_Agency_Bankruptcy@toyota.com	Jan 04 2022 20:43:00	Toyota Motor Credit, 4 Gatehall Dr. #350, Parsippany, NJ 07954
519457608	+ Email/Text: TFS_Agency_Bankruptcy@toyota.com	Jan 04 2022 20:43:00	Toyota Motor Credit, Po Box 9786, Cedar Rapids, IA 52409-0004

TOTAL: 32

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
519457587		Dsnb Macys
519457607		Syncb/Tjxdc

District/off: 0312-3

User: admin

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Date Rcvd: Jan 04, 2022

Form ID: pdf901

Total Noticed: 48

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 06, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 3, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
J. Todd Murphy	on behalf of Debtor Leticia Rodriguez tmurphy@toddmurphyllaw.com tmurphyecfmail@gmail.com;ejacobson381@gmail.com;G7187@notify.cincompass.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4